

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

<p>UNITED STATES OF AMERICA,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>MOSHE SILBER,</p> <p style="text-align: right;">Defendant.</p>	<p>Crim. No. 3:24-cr-00446-RK</p> <p style="text-align: center;">APPLICATION AND [PROPOSED] CONSENT ORDER MODIFYING CONDITIONS OF RELEASE</p>
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THIS MATTER having come before the Court on application of the Defendant Moshe Silber (“Mr. Silber”) for a modification of his conditions of release by and through his attorneys, Calcagni & Kanefsky, LLP, Eric Kanefsky, Esq., with consent from the United States (the “Government”);

WHEREAS, Mr. Silber was charged by information with one count of conspiracy to commit wire fraud affecting a financial institution in violation of 18 U.S.C. § 371;

WHEREAS, pursuant to a plea agreement with the Government (ECF No. 6), Mr. Silber pled guilty to the above charge on July 9, 2024, and is awaiting sentencing, which sentencing is currently scheduled for March 18, 2025;

WHEREAS, on July 9, 2024, the Court entered an Order that sets forth the conditions of Mr. Silber’s release (ECF No. 8);

WHEREAS, the Court entered orders modifying the conditions of Mr. Silber’s release on December 4, 2024 (ECF No. 30) and February 13, 2025 (ECF No. 45), the latter of which (the “February 13 Order”) ordered Mr. Silber to submit to home detention and location monitoring;

WHEREAS, paragraph 3 of the February 13 Order provided that Mr. Silber “shall be permitted to attend the Bar Mitzvah of his son on February 21-22, 2025, in Tarrytown, New York” and that “[i]n light of his religious observance,” he “shall depart from his home at 12:00

p.m. or later on Friday, February 21, 2025, and will return home on Saturday at 9:00 p.m. or earlier on Saturday, February 22, 2025”;

WHEREAS, due to a miscommunication from defense counsel regarding the end time of the Bar Mitzvah of Mr. Silber’s son, the above-quoted paragraph 3 of the February 13 Order (which was drafted by the parties and submitted on consent) would not allow Mr. Silber to stay for the duration the Bar Mitzvah, and thus Mr. Silber requests that paragraph 3 of the February 13 Order be modified to provide that Mr. Silber will return home “at 11:30 p.m. or earlier on Saturday, February 22, 2025” (rather than 9:00 p.m.);

WHEREAS, the Government consents to this requested modification of the February 13 Order;

IT IS on this ____ day of February, 2025,

ORDERED that the February 13 Order is modified as follows: Paragraph 3 of the February 13 Order is modified to provide that Mr. Silber will return home “at 11:30 p.m. or earlier on Saturday, February 22, 2025” (rather than 9:00 p.m.).

IT IS FURTHER ORDERED that all other conditions of Mr. Silber’s release shall remain in effect.

Hon. Robert Kirsch
United States District Judge

I hereby consent to the
form and entry of this order:

/s/ Martha K. Nye
Martha K. Nye
Assistant United States Attorney

/s/ Eric T. Kanefsky
Eric T. Kanefsky, Esq.
Attorney for Moshe Silber

Siji Moore
Trial Attorney